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January 8, 2024

VIA ECF

Honorable Jennifer L. Rochon
United States District Court
Southern District of New York
500 Pearl Street, Room 1920
Courtroom 20B
New York, NY 10007

Request for Adjournment of Initial Pretrial Conference and Extension of Briefing
Re: Deadlines in *Kassel v. Comedy Central, et al.*, No. 23-CV-06958 (JLR)

Dear Judge Rochon:

We represent Defendants Robert Moynihan, Jr., Cartuna LLC (incorrectly sued as “Cartuna, L.L.P.” (“Cartuna”)) and Comedy Partners, incorrectly sued as “Comedy Central, a subsidiary of Viacom, Inc.” (“Comedy Central”)) (collectively, “Defendants”) in the above-referenced action. By this letter-motion and in accordance with paragraph 1.F. of this Court’s Individual Rules of Practice in Civil Cases, Defendants and Plaintiff Daniel Kassel (“Plaintiff”) jointly request:

(1) that the Initial Pretrial Conference, which the Court has scheduled for February 22, 2024 (ECF No. 19, filed on November 29, 2023) be adjourned until after the Court has ruled on Defendants’ pending Motion to Dismiss the Complaint (the “MTD”) (ECF Nos. 20-23, filed on January 5, 2024);

(2) that Plaintiff’s deadline to submit written opposition to the MTD be extended from its current due date of January 19, 2024 to **February 2, 2024** (*i.e.*, a two-week extension); and

(3) that Defendants’ deadline to submit a reply in further support of the MTD be extended from its current due date of January 26, 2024 to **February 16, 2024** (*i.e.*, two weeks from Plaintiff’s extended opposition deadline).

There have been no previous requests either to adjourn the Initial Pretrial Conference or to extend the briefing deadlines on the MTD. Both Plaintiff and Defendants consent to these scheduling changes. The parties are mindful that Paragraph 1.F. of the Court’s Individual Rules of Practice in Civil Cases contemplate that the parties should provide three mutually agreeable alternative conference dates, but under the present circumstances – specifically, not knowing when the Court

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might rule on the MTD – the parties are unable to provide meaningful alternative dates and therefore request that the Court simply set a new date once it has ruled on the MTD.

Respectfully submitted,



David Halberstadter

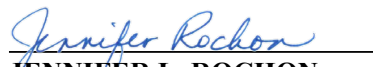
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Cc: Armando Llorens, Adwar Ivko (formerly Furgang & Adwar, L.L.P.), Counsel for Plaintiff

The request is **GRANTED** in part. Plaintiff shall submit its written opposition to the motion to dismiss by **February 2, 2024** and Defendants shall submit their reply by **February 16, 2024**. The Court further adjourns the initial pretrial conference to **April 11, 2024 at 3:00 p.m.** The Court will also hear oral argument on the motion to dismiss during the April 11, 2024 conference. The parties should expect 15 minutes per side to present their arguments.

Dated: January 8, 2024
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge